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From: Nadeau, Stephen (BRI)
Sent: Thursday, September 01, 2011 4:55 PM
To: Salemi, Charles (DPH)
Cc: Khan, Annie (DPH); Nassif, Julianne (DPH)
Subject: RE: Bristol County (Tan's Sample)

Follow Up Flag: Follow up
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Ms. Nassiff

There is no way that Annie Khan will be permitted to testify about the weight by using Tan's notes. I am going to contact defense counsel to see if he will stipulate to the weight, but I can't imagine that he will. I am therefore requesting that the drugs be transported back to the lab so that Annie can weigh them. Please let me know what the procedure will be. Thanks.

ADA Stephen C. Nadeau
508 961-1818

From: Salemi, Charles (DPH)
Sent: Thursday, September 01, 2011 3:04 PM
To: Nadeau, Stephen (BRI)
Cc: Khan, Annie (DPH); Nassif, Julianne (DPH)
Subject: RE: Bristol County (Tan's Sample)

Hi ADA Nadeau, The Laboratory policy has been to have the second chemist involved in an analysis, testify to the notes of the chemist who is unavailable. We have done this several times for chemists who have retired or who are out on long term leave. Most courts have allowed this, although some individual judges won't. If the judge will not allow Annie to look at Tan's notes on the weighing, and testify to his results, then I would suggest you contact our Director, Julie Nassif, and request to have the drugs resubmitted for retesting. Take care.

Charles Salemi
Laboratory Supervisor
DPH Drug Analysis Laboratory
Jamaica Plain, MA 02130

From: Nadeau, Stephen (BRI)
Sent: Tuesday, August 30, 2011 3:42 PM
To: Khan, Annie (DPH); Salemi, Charles (DPH)
Cc: Tan, Zhi (DPH)
Subject: RE: Bristol County (Tan's Sample)

All

We have a little time on this (trial is 10/3), but I'd like to resolve this issue as soon as possible. Tan has been summonsed. I know he will be retired by then, but is there any reason he can't appear for trial? Thanks.

From: Khan, Annie (DPH)
Sent: Thursday, August 25, 2011 8:59 AM

To: Salemi, Charles (DPH); Nadeau, Stephen (BRI)

Cc: Tan, Zhi (DPH)

Subject: Bristol County (Tan's Sample)

Hi Chuck,

Tan and I have a case scheduled for October in Fall River Superior. Tan has informed ADA Stephen Nadeau that he will be retiring and unavailable for court testimony.

ADA Nadeau had some concerns in regards to the sample & testing. Predominant part of the case involves about 50 grams of oxycodone tablets. The concern is that I did not weigh the sample, so I can not testify to the weight.

Can you please advise him/us on how to address this matter or how to proceed?

Thanks.

Annie
Drug Analysis Lab
617-983-6631 (work)
617-983-6625 (fax)